

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 DUBLIN 001550

SIPDIS

SIPDIS

E.O. 12958: N/A

TAGS: [PREL](#) [MARR](#) [MOPS](#) [PHUM](#) [EI](#)

SUBJECT: GOI HUMAN RIGHTS COMMISSION CALLS FOR INSPECTION
OF U.S. FLIGHTS

1. The Irish Human Rights Commission, which is an independent agency of the Irish government created under the Good Friday Agreement, submitted a report to the GOI December 23 calling on the government "as a matter of urgency to seek the agreement of the U.S. authorities to the inspection of aircraft suspected of involvement in this traffice (of detainees to locations where they may be tortured or ill-treated)." The press release follows in para 2 along with a WEB site from which the full report can be accessed. The government responded by saying that it would study the report, by reiterating its faith in assurances from the USG, and by noting that it is cooperating fully with COE's European- wide enquiry. Full GOI statement is in para 3.

Irish Human Rights Commission Press Release
Friday, December 23, 2005

2. Begin text:
Human Rights Commission urges Government to seek US agreement to the inspection of aircraft landing at Irish airports.

The Irish Human Rights Commission (IHRC) is seriously concerned about reports that US aircraft landing at Shannon airport may be involved in the transport of persons to secret locations where they may be at risk of being subjected to torture, cruel or inhuman treatment.

In view of Ireland's international legal obligation to ensure that no one is sent to a jurisdiction where they may run this risk, the Commission calls on the Government to seek agreement from the US authorities to inspect the aircraft in question on landing at Shannon or any other Irish airport.

The President of the IHRC, Dr. Maurice Manning, stated "The Irish Government has a clear obligation both under the Convention against Torture, the ECHR and under domestic law to prevent any actions on our soil which could in any way facilitate torture or ill-treatment even in another country. Thus far, the Government has said that it has received assurances from the US authorities that they are not using planes which are landing at Shannon in connection with the transport of detainees to locations where they may be tortured or ill-treated. In the Commission's view, and in light of Ireland's international legal obligations in this field, reliance on diplomatic assurances is not sufficient to protect against the risk of torture and other forms of ill-treatment."

In conclusion, Dr. Manning added "given the fact that the obligation on the state to protect against all forms of torture, inhuman and degrading treatment is an absolute one, and given the gravity of the allegations that have been made to date and which are under active investigation by the Council of Europe, it is not sufficient for the Government to rely on such assurances. Accordingly, the Commission calls on the Government, as a matter of urgency, to seek the agreement of the US authorities to the inspection of aircraft suspected of involvement in this traffic".

Spokespersons are available for comment.
Mary Ruddy,
Senior Human Rights Awareness Officer,
Irish Human Rights Commission

A copy of the Commission's Resolution is available at:
<http://www.ihrcc.ie/fileupload/banners/Shannonproposal.doc>

end press release

Statement by the Department of Foreign Affairs
23rd December 2005
Human Rights Commission and Issue of Extraordinary Rendition

3. Begin text:
Commenting on the Human Rights Commission Resolution, a spokesperson for the Department of Foreign Affairs said that:

"The Government will study the Human Rights Commission's resolution carefully and respond in due course.

As has been made clear on numerous occasions in the Dail and elsewhere, the Government cannot permit, has not permitted and will not permit so-called extraordinary renditions to be carried out through Irish airports or airspace.

It has also been made clear that the appropriate authorities will act if there is specific and credible information regarding particular aircraft of the type in question.

Once again, however, the Government recalls that it has, on numerous occasions, received explicit, unambiguous and unqualified assurances from the US authorities that no prisoners have been transported through Irish airports, nor would they be, without the express permission of the Government. These assurances have recently been reiterated at a very high level. In the European context, these assurances are of a particular completeness and clarity.

The Government would also emphasise that it is co-operating fully with a Europe-wide enquiry on these issues being carried out by the Council of Europe. In the New Year, it will be providing a comprehensive response to the questions posed by the Council of Europe."

End text of DFA statement
BENTON